

Kira A. Schlesinger, Esq. (SB CA: 205357; AZ: 023450)

**SCHLESINGER CONRAD LAW FIRM**

3936 E. Desert Cove Avenue, 1<sup>st</sup> Fl.

Phoenix, Arizona 85027

Tel: 602-812-3661

Fax: 480-522-3674

E-Mail: [docket@schlesingerconrad.com](mailto:docket@schlesingerconrad.com)

*Attorney for Defendants*

*Sandra Gallagher Lewis*

*And David Vincent Lewis*

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MISSION TRADING COMPANY,  
INC.,

Plaintiff,

v.

SANDRA GALLAGHER LEWIS,  
individually; DAVID VINCENT  
LEWIS, individually, DOES 1 – 10,  
inclusive,

Defendants.

CASE NO.: 3:16-CV-01110-JST

DECLARATION OF KIRA A.  
SCHLESINGER IN SUPPORT OF  
MOTION TO SET ASIDE DEFAULT

Hearing Date: August 4, 2016  
Courtroom: 9,  
Phillip Burton Building, 19<sup>th</sup> Floor  
450 Golden Gate Avenue  
San Francisco, CA 94102  
Time: 2:00 p.m.

[Filed Concurrently with:  
- Notice of Motion and  
Memorandum of Points and  
Authorities;  
- Declaration of Sandra G. Lewis;  
- Declaration of David Lewis;  
- (Proposed) Order.]

*Assigned for All Purposes to the  
Honorable Jon S. Tigar*



1 I, Kira A. Schlesinger, hereby declare:

2 1. I am an attorney licensed to practice before all Courts of the State of  
3 California and the United States District Court for the Northern District of  
4 California. I am counsel for defendants in the above-captioned action. I personal  
5 knowledge of the following facts and would testify competently thereto if called as  
6 a witness.

7 2. Following review of the docket, I understand that by the time the  
8 Defendants hired me, the date for a response to the Complaint had already run,  
9 and request for default had been filed.

10 3. I have thoroughly reviewed the file, as was necessary to draft the  
11 motion to set aside the default.

12 4. After reviewing the file, I called Plaintiff's counsel and asked her if  
13 she would stipulate to setting aside the default. She denied that request.

14 5. During that call, counsel for Plaintiff, Sunita Kapoor, admitted to me  
15 that Mission Trading Company, Inc. is not the producer of the products at issue in  
16 this case, but rather purchases their product in China, not the U.S.A.

17 6. I have prepared this motion as quickly as I could under the  
18 circumstances.

19  
20 I declare under penalty of perjury under the laws of the United States of  
21 America and the State of California that the foregoing is true and correct to the  
22 best of my knowledge, and that this declaration was executed in Phoenix, Arizona  
23 on June 28, 2016.

24  
25 By /s/ Kira A. Schlesinger  
Kira A. Schlesinger

26  
27 *Served on all interested parties via ECF*

